

REMARKS

This is in response to the Office Action of March 18, 2009. With this response, claims 1, 5, 9, 11, 21, 28, 32, 34-36 and 53 are amended and all pending claims 1 and 4-37 and 39-53 are presented for reconsideration and favorable action.

In the Office Action, the Examiner objected to the phrase “configured” in the claims. The claims have been amended and it is believed that this objection may be withdrawn.

Claims 1-8, 10-12, 15-42, 44, 45 and 47-53 were rejected based upon Eryurek '143 in view of Flaemig '765 and further in view of Sederlund '301. However, it is believed that these claims are patentably distinct from these references.

The pending claims describe a device interface which retrofits to a process device and comprises a connection to a databus of the process device which is used to transfer digital data between a component of the device and a microprocessor of the device. None of the references show or suggest this element either alone, or when read in combination with the other elements in the claims.

First, none of the cited references show retrofitting a process device. Although Flaemig mentions the diaphragm seal 4 as being “an add on device,” column 1, line 60, what this reference describes is adding an additional pressure switch 12 to a capillary tube 5 and diaphragm assembly 4. This pressure switch can then be used by the measuring transducer 1 to determine if there has been a leak in the fill fluid of the capillary tube 5. The diaphragm assembly 4 is used to isolate the pressure sensor 2 from process fluid. Thus, the diaphragm assembly 4, and its pressure switch 13 are a part of the diaphragm assembly and would be installed during manufacture of the device. This in no way describes the ability to retrofit an existing device. Further, even if one were to assume that Flaemig does show retrofitting a device, there is nothing in Flaemig describing retrofitting by coupling to an internal databus of a process device, nor the use of a safety response module which is used to retrofit a process device.

Further, the device interface of the present invention couples to a databus which transfers digital data between a component of the device and a microprocessor of the device. None of the references show this feature of the invention. The Eryurek reference is cited as showing a

databus. However, the two-wire process control loop cited in Eryurek carries data between field devices and does not carry data within a field device between a microprocessor and a component of the device.

As the references do not show all of the claimed elements, it is submitted that the rejection against the claims should be withdrawn. Reconsideration and favorable action are respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
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